

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION**

UNITED STATES OF AMERICA

CRIMINAL ACTION NO. 17-00215-01

VERSUS

JUDGE S. MAURICE HICKS, JR.

CHRISTOPHER M.K. DUMAS

MAGISTRATE JUDGE HORNSBY

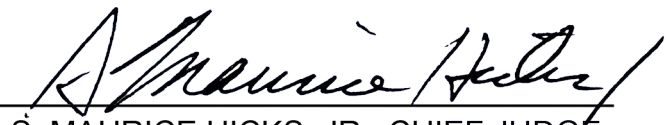
**ORDER**

Before the Court is Defendant's Certified § 144 Motion for Recusal with an Incorporated Affidavit (Record Document 349) filed by *pro se* Defendant Christopher Dumas ("Dumas"). Dumas seeks the recusal of Chief Judge Hicks based on an alleged retaliatory transfer. See id.

A Notice of Appeal has been filed in this matter. See Record Document 329. "Historically, the filing of a notice of appeal has generally given the appellate court sole jurisdiction and divested the trial court of jurisdiction to proceed with the case." U.S. v. Dunbar, 611 F.2d 985, 987 (5th Cir. 1980), citing Kirtland v. J. Ray McDermott & Co., 568 F.2d 1166 (5th Cir. 1978); Bush v. United Benefit Life Insurance Co., 311 F.2d 893 (5th Cir. 1963). Dumas has not shown why his motion should be an exception to this general rule. Thus, his motion is **DENIED** because this Court is divested of jurisdiction to proceed with this case.

**IT IS SO ORDERED.**

**THUS DONE AND SIGNED**, in Shreveport, Louisiana, this 9th day of March, 2020.

  
S. MAURICE HICKS, JR., CHIEF JUDGE  
UNITED STATES DISTRICT COURT